

REMARKS

Claims 1-25 are pending in this application.

Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Rejections Under 35 U.S.C. §§ 102 and 103:

In the Office Action mailed December 13, 2006 (hereinafter "Office Action"), claims 1, 2, 4-6, 8, 9, 12, 13, 15 and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by GB 2286505A to Robinson et al. ("Robinson").

Claims 3 and 14 were rejected under 35 U.S.C. §103 as being unpatentable over Robinson.

Claims 7 and 10 were rejected under 35 U.S.C. §103 as being unpatentable over Robinson in view of US 2002/0101848 to Lee et al.

Claim 11 was rejected under 35 U.S.C. §103 as being unpatentable over Robinson in view of US 6,636,502 to Lager et al.

Claims 17-25 were rejected under 35 U.S.C. §103 as being unpatentable over Robinson in view of US 6,445,914 to Findikli et al.

Claims 1, 15 and 16 are independent.

Claim 1 has been rejected under 35 U.S.C. §102(b) as being anticipated by Robinson. This means that, in the Examiner's view, all elements of claim 1 are disclosed by Robinson. Applicants respectfully submit that the Examiner's rejection fails to establish that all elements of claim 1 are disclosed by Robinson.

Claim 1 requires “supplying user identification data of said first wireless communication device to said second wireless communication device”. As set forth in the instant application, “user identification data” is used to identify the user. (Application, p. 8, lines 23-24.)

The Examiner alleges that the “authentication information” discussed in Robinson on page 3, lines 17-27 & 32-36 and on page 4, lines 1-5, is “user identification data”, as required by claim 1.¹ Applicants respectfully disagree. First, Robinson is entirely silent as to what the “authentication information” mentioned therein actually consists of, saying only that it is used to “authenticate the gateway transceiver 14 as a valid gateway transceiver”. (Robinson, p. 4, lines 4-5) If the gateway transceiver is valid, the mobile station may decide whether to accept it as a via for communication with the trunked radio communications system. (Robinson, p. 4, lines 28-35) Nothing therein suggests that this authentication information identifies the user, and thus, is “user identification data”. Second, Applicants have set forth, in a prior response, a specific example wherein the “authentication information” of Robinson need not be user identification data and yet would still carry out the stated purpose of authenticating the gateway transceiver 14 as a valid gateway transceiver. (See, Amendment, dated September 21, 2006, p. 9, line 18 – p. 10, line 7.) The Examiner has not refuted the example provided by Applicants. Thus, Applicants respectfully submit that nothing in Robinson teaches or suggests that the foregoing “authentication information” is “user identification data” and Applicants, in fact, have demonstrated that it need not be.

¹ It is unclear to what extent the Examiner continues to rely on a mobile station’s address as “user identification data”. A mobile station address clearly identifies a mobile station rather than a user, and thus, is not “user identification data”, as recited in claim 1. The Examiner has recently highlighted that the instant application provides that “user identification data” is “of the mobile station”. (See, Office Action, Response to Arguments, p. 13, line 22) Although “user identification data” may be “of the mobile station” because it may be contained in a SIM card inserted into the mobile station, the instant application nevertheless makes clear that “user identification data” identifies the user rather than the mobile station itself.

Nor does it follow from Applicant's discussion of "prior art technology" on page 8 of the instant application that the authentication information of Robinson must be user identification data, as the Examiner appears to be suggesting in the Office Action. (See, Office Action, Response to Arguments, p. 13-14) The specific portion on page 8 of the instant application upon which the Examiner appears to rely reads: "The user enters the PIN code and, assuming it was the correct one, the mobile station 20 registers to the network 30 according to prior art technology using the user identification data of the SIM card 26 for authentication." (Application, p. 8, lines 27-29) However, this is merely a discussion of how a mobile station registers *directly* to its own communications network using its own user identification data. It does not at all involve the Robinson scenario of a mobile station authenticating a gateway transceiver as a valid gateway transceiver and, if valid, the mobile station deciding whether to accept it as a via for communication with the trunked radio communications system. Thus, the above-cited portion of the instant application does not shed any light upon what the authentication information of Robinson must be.

Accordingly, for these reasons alone, Applicants respectfully submit that the Office Action fails to establish a *prima facie* case of anticipation of claim 1 in view of Robinson under 35 U.S.C. §102(b).

There is at least another reason why a case of anticipation has not been established. Claim 1 further requires "making a contact from said second wireless communication device to its own communications network using the user identification data of said first wireless communication device".

Assuming *arguendo* that the above-identified authentication information of Robinson is used in the overall process of "provid[ing] contact between the mobile station 16

and the radio communications system 10 through the gateway”, as the Examiner states, it simply does not follow that this information “is used to provide contact between the gateway and the radio communication network using the message from the mobile unit”, as the Examiner concludes. (See, Office Action, Response to Arguments, p. 16, lines 6-14) This is because the authentication information, upon which the Examiner relies for the claimed “user identification data”, is used in Robinson merely to authenticate the gateway transceiver 14 as a valid gateway transceiver for the mobile station 16. As previously mentioned, if the gateway transceiver is valid, the mobile station may decide to accept it as a via for communication with the trunked radio communications system. (Robinson, p. 4, lines 28-35). Up until that point in the process, however, the gateway transceiver 14 has not made any contact with the trunked radio communications system on behalf of the mobile station and, after that point, there is nothing in Robinson to suggest that the foregoing authentication information is used by the gateway transceiver to make contact with the trunked radio communications system. In short, the passages of Robinson cited by the Examiner do not disclose “making a contact from said second wireless communication device to its own communications network using the user identification data of said first wireless communication device”. Thus, claim 1 is not anticipated by Robinson for this additional reason.

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that claim 1 is not anticipated by Robinson. Claims 15 and 16 contain limitations similar to those found in claim 1, and thus, are allowable for at least the same reasons as set forth above in urging the allowance of claim 1.

Dependent Claims:

Applicants do not believe it necessary at this time to address the rejections of the dependent claims as Applicants believe that the foregoing places the independent claims in condition for allowance. Applicants, however, reserve the right to address those rejections in the future should such a response be deemed necessary and appropriate.

CONCLUSION

Applicants respectfully submit that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required by this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4072. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4072. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

Respectfully submitted,
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Dated: April 5, 2007

By: 

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